

INITIATIVE 738

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 738 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to improving traffic; amending RCW 81.100.020;
2 adding a new section to chapter 43.09 RCW; adding a new section to
3 chapter 47.01 RCW; adding a new section to chapter 82.44 RCW; adding a
4 new section to chapter 82.08 RCW; adding a new section to chapter 82.12
5 RCW; adding a new section to chapter 36.70A RCW; adding a new section
6 to chapter 44.40 RCW; and creating a new section.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

8 **IMPROVING TRAFFIC BY REQUIRING PERFORMANCE AUDITS OF TRANSPORTATION** 9 **AGENCIES**

10 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.09 RCW
11 to read as follows:

12 The state auditor shall conduct a performance audit on each
13 transportation agency, account, and program, including, but not
14 necessarily limited to, the department of transportation, the state
15 ferry system, and all public transit agencies in the state.
16 Transportation funds shall be used for the cost of each audit. The
17 first audit report for each transportation agency, account, and program
18 shall be submitted to the legislature and made available to the public

1 on or before December 31, 2001. Subsequent performance audits shall be
2 conducted when determined necessary by the state auditor.

3 **IMPROVING TRAFFIC BY MAKING ROAD CONSTRUCTION AND ROAD MAINTENANCE THE**
4 **TOP PRIORITY OF THE STATE TRANSPORTATION SYSTEM**

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01 RCW
6 to read as follows:

7 New road and lane construction and road maintenance shall be the
8 state's top priority for transportation system improvements.

9 **IMPROVING TRAFFIC BY REQUIRING 90% OF TRANSPORTATION FUNDS BE SPENT ON**
10 **ROAD CONSTRUCTION AND ROAD MAINTENANCE**

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.44 RCW
12 to read as follows:

13 (1) A minimum of 90% of funds used for transportation purposes
14 shall be spent on construction of new roads, new lanes on existing
15 roads, improvements to the traffic carrying capacity of roads, or
16 maintenance of roads.

17 (a) For the purposes of this section, "transportation funds" are
18 government funds spent for transportation purposes, including, but not
19 necessarily limited to, the transportation fund, the highway fund,
20 public transit and ferry operating accounts and reserves, public
21 transit and ferry capital accounts and reserves, local government
22 transportation accounts, public transportation authorities,
23 transportation benefit districts, and the high occupancy vehicle
24 account established in RCW 81.100.070.

25 (b) For the purposes of this section, "transportation funds" do not
26 include federal funds which the federal government requires to be spent
27 on purposes other than construction of new roads, new lanes on existing
28 roads, improvements to the traffic carrying capacity of roads, or
29 maintenance of roads.

30 (c) For the purposes of this section, "transportation funds" do not
31 include transportation vehicle funds used for school districts or funds
32 used by airports or port districts, or public ferry and public transit
33 fares.

34 (d) For the purposes of this section, "roads" includes all publicly
35 owned roads, streets, and highways.

1 (e) For the purposes of this section, a regional transportation
2 authority created pursuant to RCW 81.112 shall make expenditures of
3 transportation funds for projects, programs, and services within the
4 area boundaries of that regional transit authority.

5 **IMPROVING TRAFFIC BY EXEMPTING ROAD CONSTRUCTION MATERIALS AND LABOR**
6 **FROM SALES AND USE TAXES**

7 NEW SECTION. **Sec. 7.** A new section is added to chapter 82.08 RCW
8 to read as follows:

9 The taxes levied by RCW 82.08.020 shall not apply to materials and
10 labor used in the construction or maintenance of public roads, streets,
11 and highways.

12 NEW SECTION. **Sec. 8.** A new section is added to chapter 82.12 RCW
13 to read as follows:

14 The taxes levied by RCW 82.12.020 shall not apply to materials and
15 labor used in the construction or maintenance of public roads, streets,
16 and highways.

17 **IMPROVING TRAFFIC BY UPDATING TRANSPORTATION PLANS**

18 NEW SECTION. **Sec. 9.** A new section is added to chapter 36.70A RCW
19 to read as follows:

20 The traffic element of comprehensive plans developed under RCW
21 36.70A.070(6)(a) and development regulations shall be updated to
22 reflect the provisions and priorities of this act.

23 NEW SECTION. **Sec. 10.** A new section is added to chapter 44.40 RCW
24 to read as follows:

25 Comprehensive plans developed under RCW 44.40.070 shall be updated
26 to incorporate the funding priorities established by this act.

27 **CONSTRUCTION CLAUSE**

28 NEW SECTION. **Sec. 11.** The provisions of this act are to be
29 liberally construed to effectuate the policies and purposes of this
30 act.

1 **SEVERABILITY CLAUSE**

2 NEW SECTION. **Sec. 12.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

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